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SOURCE Uredni List.STATUTES OF THE CZECHOSLOVAK MINISTRY OF STATE CONTROL

[This report presents certain provisions of the statutes of the  
 Czechoslovak Ministry of State Control and the text of a "Directive  
 on Financial Reimbursement by Organs of the Ministry of State Con-  
 trol," as published in Uredni List on 18 September 1952. The  
 statutes are the first official publication of the functions of  
 this ministry received in FDD.]

STATUTES OF THE MINISTRY OF STATE CONTROL

The Ministry of State Control announces certain provisions of its statutes,  
 as approved by the government, according to Articles 2 and 3 of government order  
 No 73/1951, Collection of Laws, establishing the Ministry of State Control.

Article 1

The principal objectives of the Ministry of State Control are:

- a. To exercise the strictest control over the status of records, and the storage, issuance, and receipt of funds and materials under the administration of state, national, communal, cooperative, and other enterprises, as well as offices and organizations.
- b. To check on the fulfillment of laws, orders, and decisions of the government, both on direct orders from the government and at the discretion of the Ministry of State Control itself.
- c. To present to the government an evaluation of the report of the Minister of Finance concerning the fulfillment of the state budget.
- d. To discuss complaints, reports, and applications of workers and to take necessary steps.

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Article 2

To accomplish its objectives, the Ministry of State Control has the following rights:

- a. To carry out inspections and checks of economic and financial activity in all ministries and other central offices, and in state, cooperative, and other organizations and their subordinate organs.
- b. To issue orders which are binding for all ministries and other central offices, for state, cooperative, and other organizations and their subordinate organs; to present plans, documents, reports, and other written material necessary for carrying out inspections and checkups, and for studying individual problems of their activity.
- c. To issue, to responsible persons of the ministries and other central organs, and of state, cooperative, and other organizations and their subordinate organs, binding orders to present reports, information, and clarification in questions connected with inspections and checkups. This is to be done within time limits established by the organs of the Ministry of State Control.
- d. In cases where criminal action is suspected, original documents shall be provided immediately, if careful storage of them is not guaranteed, and particularly if they might be destroyed, removed, or changed. In all other cases only copies of documents need be transferred.
- e. The ministry will have free access to operational, warehouse, and service areas, as well as to all other installations and establishments.
- f. In cases so requiring, the ministry shall select experts and technicians, specialists, scientific workers, skilled workers, and other employees to participate in inspections and checkups.
- g. In cases of shortcomings discovered during the control of records, or the storage, receipt, and issuance of funds and materials, as well as in matters of the nonfulfillment of laws, orders, and decisions of the government, the ministry shall inform the proper officials and give them binding orders to eliminate the shortcomings discovered, within the limits of existing legal regulations.
- h. The ministry may impose the following punishments: warning, reprimand, sharp reprimand, and removal from office. These punishments are imposed on those who, during the execution of their duties, have been responsible for failure to fulfill laws, orders, and decisions of the government, for disorder in records, for improper storage, receipt, issuance, or use of funds or for giving incorrect information to the organs of state control. These punishments are entered on the individual's personal identification document and, on orders of the Minister of State Control, may be published in the press.
- i. When gross interference with official power or with duties assigned is discovered, or when other punishable acts have been discovered, the responsible persons may be forced to face court action, through the Prosecutor's Office.
- j. If it is determined during control that irregularities in the execution of functions have caused loss to the state, financial reimbursement may be required of those who are guilty.

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k. With the approval of the government, the ministry may introduce in offices, enterprises, warehouses, and other establishments a preliminary control of records, storage, receipt, and issuance of funds and materials. The preliminary control is carried out by a checkup of budgets, disbursement documents, and vouchers for materials. The controller of the Ministry of State Control has the right to disallow all or part of any disbursement. A list of materials and disbursements which must be checked during the preliminary control, as well as the method of executing the preliminary control, will be established by regulations of the Ministry of State Control.

1. The ministry may establish superior controllers and local controllers, particularly for individual economic and administrative sectors, for certain territorial regions, for individually important enterprises or groups, and for individual offices.

Article 3

The Minister of State Control has an agent for Slovakia who is directly subordinate to him and who has the right to participate in meetings of the Slovak Board of Commissioners. In carrying out his duties the agent for Slovakia is governed by these statutes and by special regulations issued by the Minister of State Control.

Article 4

According to resolutions of the government, the Minister of State Control will establish special control functions as part of the Ministry of State Control. These functions may be changed by special directive.

Article 5

The rights and obligations of the controllers in various places are changed by these statutes and by further instructions of the Minister of State Control. In the execution of their duties the controllers in the various places are independent of other state organs. These state organs may not interfere in the activity of the controllers or give them any type of orders or instructions.

Article 6

All state offices and organs are obliged, upon request of the organs of State Control, to give these organs aid, without delay, in the fulfillment of their duties.

Article 7

This announcement goes into effect on 1 September 1952.

DIRECTIVE ON MONETARY REIMBURSEMENT  
BY ORGANS OF THE MINISTRY OF STATE CONTROL

The Ministry of State Control, in agreement with the Ministry of Finance, announces directives concerning monetary reimbursements payable by organs of the Ministry of State Control as follows:

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Article 1

On the basis of Article 2, Paragraph 2 (f) of government order No 73/1951, Collection of Laws, as outlined by government order No 38/1952, Collection of Laws, the Ministry of State Control requires financial reimbursement from responsible persons who, in discharging their duties, have caused damage to the state (hereinafter referred to as "responsible persons").

Article 2

Monetary reimbursement is required if, in control, it is determined that the responsible persons committed incorrect acts which caused loss to the state, particularly:

- a. By paying salaries for maintaining an administrative apparatus in excess of the established number of personnel, or above the established wage fund, as well as for exceeding administrative-economic expenses as outlined in the established budget.
- b. For illegal payments of monetary and in-kind bonuses, rewards, and support.
- c. For illegal payments to employees for work performed as part of their duties.
- d. For payment, to employees and other persons, of sums greater than those established as reimbursements for services.
- e. For damaging and wasting goods, technical equipment, raw materials, fuels, and other material.
- f. For illegal issuance of funds for celebrations, sponsorship programs [sponsoring collective farms, etc.], and public appearances.
- g. For neglecting to collect claims, particularly reimbursements for damages, if thereby the claim expired or became uncollectable.
- h. For paying, from the funds of the office, enterprise, or organization, fines which were levied on a person who in the execution of his (her) duties did not adhere to health, safety, or other regulations.

Article 3

Reimbursement may be required in other, similar, cases if illegal acts by responsible persons have caused loss to the state.

Article 4

Responsible persons who, on the initiative of the Ministry of State Control, were brought to court, are not required to provide [the usual] monetary reimbursement, but the court shall decide the size of reimbursements to be paid for damages caused to the state.

Article 5

Monetary reimbursement is required to the amount of the loss caused to the state, but is not to exceed 3 months' salary of the responsible person in question.

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Article 6

Career military persons are charged monetary reimbursements in amounts established in applicable regulations of the Ministry of National Defense.

Article 7

The amount of monetary reimbursement for losses caused to the state by several persons together is determined for each person separately according to the nature and extent of his (her) guilt.

Article 8

Orders for monetary reimbursement are based on the results of control carried out by the organs of the Ministry of State Control.

Article 9

If monetary reimbursement is not exacted by court foreclosure, it is done by the accounting office, enterprise, or organization on the basis of orders concerning reimbursement. In this case the reimbursement is exacted from the responsible person, at his place of work, by deducting up to 25 percent of all monthly wages due to him (her) until the entire reimbursement sum shall have been paid.

Article 10

Persons who have not completed paying their reimbursements and who transfer to other offices, enterprises, or organizations continue to have deductions made from their wages, until the reimbursement is completely paid. In such cases the chief of the office, enterprise, or organization is obliged to send to the new place of work the orders governing the deduction from pay and the size of the reimbursement to be paid by the person, and at the same time inform the new place of work of the total sum deducted.

Article 11

Monetary reimbursements so deducted are sent to the State Treasury within a maximum of 3 days after deduction, with a notification of the sum sent, and made payable to the checking account of the Ministry of Finance.

Article 12

The responsibility for timely deduction of monetary reimbursements and for transferring the sums to the State Treasury is placed on the chiefs of the particular offices, enterprises, or organizations and chiefs of accounting offices.

Article 13

The control of timely deduction of monetary reimbursements and their transfer to the State Treasury shall be carried out by the financial offices of the okres national committees at the locality of the office, enterprise, or organization which is deducting the reimbursement.

Article 14

If it is impossible to deduct the monetary reimbursement or its unpaid balance from wages, the reimbursement must be made from the property of the person charged with the reimbursement. In such cases the financial offices of

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the okres national committees will compile a list of the property and will exact the reimbursement in a legal manner.

Article 15

This announcement goes into effect on 1 September 1952.

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